

Attorney Docket No.: FMCE-P073

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In re Application of: Quoiani)

Serial No.: 10/010,427)

Filed: 11/30/2001)

For: METALLIC SEAL COMPONENTS)

Group Art Unit: 3676

Examiner: A. Pickard

JAN 23 2004
RECEIVED
CENTRAL FAX CENTER

Henry C. Query, Jr.
504 S. Pierce Ave.
Wheaton, IL 60187


Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Resubmission of Response to Final Office Action

This communication is responsive to the final Office Action dated September 30, 2003. Applicant filed a Response to Final Office Action via facsimile on December 1, 2003, but this communication was apparently never received by the Examiner. Accordingly, enclosed herewith are copies of the December 1, 2003 Response to Final Office Action and the Auto-Reply Facsimile Transmission receipt evidencing that the Response to Final Office Action was duly received by the Patent Office on December 1, 2003.

Respectfully submitted,

Date: January 21, 2004


Henry C. Query, Jr.
Reg. No. 35,650
(630) 260-8093

Attorney Docket No.: FMCE-P073

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Quoiani)	
)	
Serial No.: 10/010,427)	Group Art Unit: 3676
)	
Filed: 11/30/2001)	Examiner: A. Pickard
)	
For: METALLIC SEAL COMPONENTS)	

Henry C. Query, Jr.
504 S. Pierce Ave.
Wheaton, IL 60187

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Final Office Action

This communication is responsive to the final Office Action dated
September 30, 2003.

Reconsideration of the above-identified application is respectfully
requested.

Claims 1, 3, 4, 7-9, 14-18 and 20 stand rejected under 35 U.S.C. 103(a)
as being obvious over Rogen et al. (U.S. Patent No. 4,515,213) in view of
Boehm, Jr. et al. (U.S. Patent No. 5,456,314). In the Examiner's opinion, Rogen
discloses every element of claim 1, except a bore that includes a recessed
surface. Moreover, the Examiner asserts that Boehm discloses a bore with a
recessed surface and that it would have been obvious to the person of ordinary
skill in the art to provide Boehm's recessed surface in the bore of Rogen.
However, this rejection is erroneous since the combination of Rogen and Boehm

Attorney Docket No.: FMCE-P073

is improper and, even if assumed to be proper, does not render applicant's invention obvious.

The present rejection is erroneous since no motivation or suggestion exists to combine Boehm with Rogen. The Examiner asserts that the person of ordinary skill in the art would combine Boehm with Rogen "to provide a recessed surface in the bore to enhance the connection and retention of the packing in the bore" (see the final sentence of numbered paragraph 2 of the final Office Action). However, Rogen provides other means for securing his various packer sleeves in their respective bores. For example, the packer sleeve 27 shown in Figures 1A and 1B is retained in the well casing 10 by a pair of slips 20a, 20b (see column 8, lines 26-30). Nowhere is it suggested that these slips are not sufficient to secure the packer sleeves in their bores. Therefore, the person of ordinary skill in the art would have no motivation to employ the wickers 23 of Boehm for this purpose.

Furthermore, even if one were to assume that the combination of Rogen and Boehm is proper, this combination would not render the invention recited in applicant's claim 1 obvious. Contrary to the Examiner's understanding, Boehm does not disclose a bore having a recessed surface. The Examiner asserts that reference number 23 designates a recessed surface. However, reference number 23 instead designates a series of wickers which are formed in the bore 13 of the well housing 11. Moreover, the person of ordinary skill in the art would not equate a series of wickers with a recessed surface. Thus, even if Rogen and Boehm could be combined, the resulting device would not include a seal

Attorney Docket No.: FMCE-P073


component which forms a seal with a *recessed surface*, as is required by claim 1.

Therefore, claim 1 is clearly patentable under 35 U.S.C. 103(a) in light of Rogen and Boehm. In addition, since the remaining rejected claims depend from claim 1, these claims are also patentable under 35 U.S.C. 103(a) in light of Rogen and Boehm.

The prior art made of record but not relied upon has been considered but is not believed to be pertinent to the patentability of the present invention.

In light of the foregoing, claims 1, 3, 4, 7-9, 14-18 and 20 are submitted as allowable. Favorable action is solicited.

Respectfully submitted,


Henry C. Query, Jr.
Reg. No. 35,650
(630) 260-8093

Date: December 1, 2003

HENRY C. QUERY, JR.

Patent Attorney At Law

**RECEIVED
CENTRAL FAX CENTER****JAN 23 2004****FACSIMILE TRANSMITTAL SHEET**


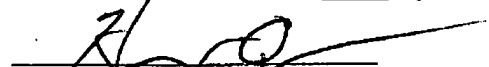
TO: Examiner Alison Pickard	FROM: Henry C. Query, Jr.	OFFICIAL
COMPANY: USPTO - Group Art Unit 3676	DATE: January 21, 2004	
FAX NUMBER: 703-872-9327	TOTAL NO. OF PAGES INCLUDING COVER: 9	
SUBJECT: U.S. Patent Application No. 10/010,427 Inventor(s): Quoiani Filed: 11/30/2001 For: Metallic Seal Components		
THIS TRANSMITTAL IS INTENDED FOR DELIVERY ONLY TO THE PERSONS LISTED ABOVE. IT MAY CONTAIN CONFIDENTIAL OR PRIVILEGED INFORMATION, THE DISCLOSURE OF WHICH IS PROHIBITED. IF YOU RECEIVED THIS TRANSMITTAL IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE TO ARRANGE FOR THE RETURN OF THIS DOCUMENT.		

Dear Examiner Pickard:

Enclosed in connection with the above-referenced application are the following:

- 1) a Resubmission of Response to Final Office Action;
- 2) a Petition for a one month extension of time to reply to the Final Office Action dated September 30, 2003; and
- 3) a Credit Card Payment Form (Form PTO-2038) in the amount of \$110.00 in payment of the Petition fee required under 37 CFR 1.17(a)(1).

Sincerely,


Henry C. Query, Jr.**Certificate of Facsimile Transmission Under 37 CFR 1.8**I hereby certify that this correspondence, consisting of 9 total pages, is being facsimile transmitted to the U.S. Patent and Trademark Office on January 21, 2004.
Henry C. Query, Jr.

504 S. Pierce Avenue, Wheaton, IL 60187 Phone: (630) 260-8093 Fax: (630) 260-8093

HENRY C. QUERY, JR.

Patent Attorney At Law

FACSIMILE TRANSMITTAL SHEET


TO:	FROM:
Examiner Alison Pickard	Henry C. Query, Jr.
COMPANY:	DATE:
USPTO - Group Art Unit 3676	December 1, 2003
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
703-872-9327	4
CC:	
SUBJECT:	
U.S. Patent Application No. 10/010,427	
Inventor(s): Quoiani	
Filed: 11/30/2001	
For: Metallic Seal Components	

THIS TRANSMITTAL IS INTENDED FOR DELIVERY ONLY TO THE PERSONS LISTED ABOVE. IT MAY CONTAIN CONFIDENTIAL OR PRIVILEGED INFORMATION, THE DISCLOSURE OF WHICH IS PROHIBITED. IF YOU RECEIVED THIS TRANSMITTAL IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE TO ARRANGE FOR THE RETURN OF THIS DOCUMENT.

Dear Examiner Pickard:

Enclosed in connection with the above-referenced application is a Response to Final Office Action, which is responsive to the Final Office Action dated September 30, 2003.

Sincerely,


Henry C. Query, Jr.**Certificate of Facsimile Transmission Under 37 CFR 1.8**

I hereby certify that this correspondence, consisting of 4 total pages, is being facsimile transmitted to the U.S. Patent and Trademark Office on December 1, 2003.


Henry C. Query, Jr.

504 S. Pierce Avenue, Wheaton, IL 60187 Phone: (630) 260-8093 Fax: (630) 260-8093

USPTO 12/1/2003 12:32 PM PAGE 1/001 Fax Server
 TO: Auto-reply fax to 630 260 8093 COMPANY:

Auto-Reply Facsimile Transmission



TO: Fax Sender at 630 260 8093
 Fax Information
 Date Received: 12/1/2003 12:30:11 PM [Eastern Standard Time]
 Total Pages: 4 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMPE) section 306 et seq.

Received
 Cover
 Page
 =====>

12/01/2003 11:28	630-260-8093	HENRY C. QUERY, JR.	PAGE 05/04
------------------	--------------	---------------------	------------

HENRY C. QUERY, JR.
 Patent Attorney At Law

FACSIMILE TRANSMISSIONAL SHEET

TO: Examiner Allison Pickard	FROM: Henry C. Query, Jr.
COMPANY: USPTO Group Art Unit 3676	DATE: December 1, 2003
FAX NUMBER: 703-872-9327	TOTAL NO. OF PAGES INCLUDING COVER: 4

RE: U.S. Patent Application No. 10/010,427
 Inventor(s): Quotiani
 Filed: 11/30/2001
 For: Metallic Seal Components

THIS FACSIMILE TRANSMISSION IS FOR DELIVERY ONLY TO THE PERSONS LISTED ABOVE. IT MAY CONTAIN CONFIDENTIAL OR PROPRIETARY INFORMATION, THE DISCLOSURE OF WHICH IS PROHIBITED. IF YOU ARE NOT THE ADDRESSEE OF THIS FACSIMILE, PLEASE NOTIFY THE SENDER BY RETURN FACSIMILE OF THE ERROR AND THE SENDER OF THIS FACSIMILE.

Dear Examiner Pickard:

Enclosed in connection with the above-referenced application is a Response to Final Office Action, which is responsive to the Final Office Action dated September 30, 2003.

Sincerely,

Henry C. Query, Jr.

Certificate of Facsimile Transmission Under 37 CFR 1.8
 I hereby certify that this correspondence, consisting of 4 total pages, is being facsimile transmitted to the U.S. Patent and Trademark Office on December 1, 2003.

Henry C. Query, Jr.

504 S. Pierce Avenue, Wheaton, IL 60187 Phone: (630) 260-8093 Fax: (630) 260-8093

PAGE 04 * RCVDP AT 12/01/2003 12:30:11 PM Eastern Standard Time * ISSUED TO 630-260-8093 * 200310010001 * DURATION 00:04:12